

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court **of California** on the following

☐ Trademarks or ☒ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO. SACV 23-1758-JVS-ADSx	DATE FILED 09/19/2023	U.S. DISTRICT COURT of California
PLAINTIFF ALPHA-O PEPTIDES AG, a Swiss limited company, PETER BURKHARD, PH.D., an individual		DEFENDANT REGENTS OF THE UNIVERSITY OF CALIFORNIA ON BEHALF OF THE UNIVERSITY OF CALIFORNIA – IRVINE; SUNOMIX THERAPEUTICS; LBACHIR BENMOHAMED, PH.D; MOHAMMED BOUZIANE, PH.D
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 8,575,110	11/04/2013	Alpha O'Peptides AG
2 8,546,337	10/01/2013	Alpha O'Peptides AG
3 10,245,318	04/02/2019	Alpha O'Peptides AG
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
Stipulation to Dismiss Case filed 1/24/2024. MD-6. Case Terminated.

CLERK Brian D. Karth	(BY) DEPUTY CLERK Evelyn Synagogue	DATE 01/24/2024
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

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7
8 Counsel for ALPHA-O PEPTIDES AG and PETER
9 BURKHARD, PH. D, Plaintiffs

10
11
12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 Case No.: 8:23-cv-01758-JVS-ADS

15 ALPHA O PEPTDIES AG, a Swiss
16 limited company,
17 PETER BURKHARD, PH.D., an
18 individual

19 **STIPULATION OF DISMISSAL**
20 **WITHOUT PREJUDICE**

21 Plaintiffs,

22 vs.

23 THE REGENTS OF THE UNIVERSITY
24 OF CALIFORNIA, a public trust,
25 SUNOMIX THERAPEUTICS, entity form
26 unknown, LBACHIR BENMOHAMED,
27 PH.D, an individual, MOHAMED
28 BOUZIANE, an individual, and DOES 1
THROUGH 50, inclusive,

Defendants.

1 WHEREAS, this action was commenced on September 19, 2023 by the filing of
2 the Complaint;

3
4 WHEREAS, Plaintiffs Alpha O Peptdies AG and Peter Burkhard (collectively,
5 “Plaintiffs”) have engaged in meet and confer efforts with defendants The Regents of
6 the University of California, Sunomix Therapeutics, Lbachir Benmohamed, and
7 Mohammed Bouziane (collectively, “Defendants”) regarding each of the Defendants’
8 respective responses to the Complaint;

9
10 WHEREAS, pursuant to the parties’ meet and confer efforts, Plaintiffs agree to
11 dismiss this action in its entirety without prejudice;

12
13 WHEREAS, Defendants agree that 28 U.S.C. § 1367(d) applies to Plaintiffs’
14 Complaint to toll the statute of limitations when the Complaint was filed for the state
15 law claims plead in the Complaint, and that the statute of limitations for those state
16 law claims will remain tolled for 30 days following dismissal;

17
18 THE PARTIES HEREBY STIPULATE that:

19
20 1. this lawsuit and all claims therein be dismissed WITHOUT PREJUDICE
21 pursuant to Federal Rule of Civil Procedure 41(A)(ii), each party to bear its own fees
22 and costs;

23
24 2. 28 U.S.C. § 1367(d) applies to Plaintiffs’ Complaint to toll the statute of
25 limitations when the Complaint was filed for the state law claims plead in the
26 Complaint, and that the statute of limitations for those state law claims will remain
27 tolled for 30 days following dismissal. Nothing in this stipulation shall preclude any
28

1 defendant from asserting a statute of limitations defense against any claim (based on
2 state law or otherwise) for which the statute of limitations expired prior to Plaintiffs'
3 filing of the Complaint on September 19, 2023.
4

5 IT IS SO STIPULATED.

6 Dated: January 23, 2024

Respectfully submitted,

9 By: /s/ Ryan J. Marton

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17 BENMOHAMED

18
19 By: /s/ Chad M. Mandell

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MOHAMMED BOUZIANE

CERTIFICATE OF SERVICE

I hereby certify that on January 23, 2024, I caused a true and correct copy of the foregoing document to be served on all counsel of record for Defendants via e-mail and the Court's e-filing system.

Date: January 23, 2024

By: /s/ Chad M. Mandell